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File

Security 2

21 March 1974

MEMORANDUM FOR: Chairman, CIA Information Review Committee
SUBJECT : Applications for Access to Classified Records
by Historical Researchers

1. Action Requested:

Approval of a policy governing the granting of access to classified records to historical researchers.

2. Background:

A. Current Policy

Executive Order 11652 (Section 12) and the implementing National Security Directive (Part VI.B) state that historical researchers may be granted access to classified information or material if the head of the originating Department:

(1) determines that access is clearly consistent with the interests of national security (E.O.);

(2) takes appropriate steps to assure that classified information or material is not published or otherwise compromised (E.O.);

(3) determines that the information or material requested is reasonably accessible and can be located and compiled with a reasonable amount of effort (NSC);

(4) obtains agreement from the historical researcher to safeguard the information or material in a manner consistent with the Order and Directive; and

(5) obtains agreement from the historical researcher to permit review of his notes and manuscript to ensure that they do not contain classified information.

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- 2 -

Neither the Executive Order or the Directive defines a historical researcher nor identifies credentials required to permit favorable consideration of his application for access to classified information.

B. Agency Action to Date

The Agency has taken action on three requests for access to classified information by historical researchers, and has received one request on which no action has been taken:

(1) A request by [] for access to records covering OSS operations in China and French Indochina during the period April - October 1945 was granted on 24 August 1973. Senator Fulbright had encouraged [] to write on the official U. S. role in Indochina during this period, and, as a former OSS officer, he was qualified to write on the subject. [] had also been employed by the Office of Emergency Preparedness for twelve years. Working space within the Agency was made available to [] and files were retrieved and placed at his disposal. Upon completion of his research, Mr. [] requested the declassification of approximately 370 OSS documents, many of which he had originated. The documents were then reviewed by appropriate officials and most have been declassified and [] so advised.

(2) On 22 January 1974, a request was approved granting access to classified information to Mr. Marshall L. Miller, an Associate Deputy Attorney General, who is writing a book entitled, "Bulgaria During the Second World War." Mr. Miller currently holds a Top Secret security clearance. He requested access to OSS and CIA classified records held by the National Archives and Records Service (NARS). Since the research is to be performed at NARS, the Agency will not be required to retrieve files or provide working space.

(3) The Agency denied a request made by Mr. Howard C. Berkowitz for access to classified information related to a study he is making for the Ripon Society on the problem of information controls and information leaks within the Federal Government. The denial was based on (a) his lack of formal academic credentials; (b) the potential repercussions from the Agency's granting such access to a member of a political group of a major political party; and (c) the belief that his information requirements could be substantially met by providing him with unclassified material and information.

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- 3 -

(4) We have not yet acted upon a request from an undergraduate student for access to OSS documents regarding small arms ordnance and special field equipment developed for the OSS. The Department of the Army has granted him approval for access to Secret records held by NARS. Our reasons for non-action thus far are: (a) the uncertainty that the study would take place; (b) the anticipated workload involved in retrieving documents; (c) the definite possibility that approval of this request would stimulate requests from other college undergraduates; and (d) the uncertainty that this research is "clearly consistent with the interests of national security," as required by the Executive Order.

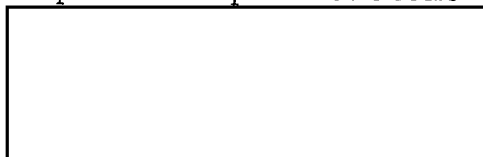
Experience to date shows that granting access to Agency classified documents can be a costly process. Involved in the process are the providing of manpower, providing of office space, and the retrieval of documents from within Headquarters and at the Agency Records Center and Archives. A clear policy governing the granting of access to classified records to historical researchers is imperative.

4. Recommendation:

It is recommended that the CIA Information Review Committee adopt as Agency policy the principle that applications for access to classified records by historical researchers be granted only if all requirements of E. O. 11652 and the implementing National Security Council Directive (as stated in para. 2 above), are met, and if the applicant:

(a) can produce evidence that he is qualified as a researcher by virtue of academic accomplishments; or

(b) can produce evidence of qualifications to perform research by virtue of previous publications in learned journals.



CONCURRENCE: Chief, Information Systems Analysis Staff

(Member)



25 March 1974

(Legal Advisor)

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STAT

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- 4 -

SUBJECT: Applications for Access to Classified Records
by Historical Researchers

APPROVED:

/s/ Harold L. Brownman

31 MAR 1974

DISAPPROVED:

Distribution:

Orig - Return to ISAS

1 -

2 - Chairman, IRC

1 - Mr. Warner

1 - Dr. Chamberlain

Chrono Subject

ISAS:LY:CES

Rewritten:ISAS:BEC:slh (20 March 1974)

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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED		CONFIDENTIAL	
OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	Mr. Dunn	3/29	<i>[Signature]</i>
2	Mr. Brownman	4/1	<i>[Signature]</i>
3	Mr. Blake - 741	1 APR 1974	<i>[Signature]</i>
4			
5	Registry		
6			
ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks: <div style="font-size: 2em; margin-top: 10px;">1-2</div> <div style="font-size: 1.5em; margin-top: 10px;">Recommend approval</div>			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
UNCLASSIFIED		CONFIDENTIAL	
		SECRET	

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

C/ISAS 2E42 HQS.

EXTENSION

NO.

DATE

21 March 1974

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. 7D01 HQS.
2. Mr. Warner 7D01 HQS.
3. Dr. Chamberlain 2E24 HQS.
4. C/IRC Mr. Brownman 7D26 HQS.
B-X-4

3/22/74

3/25

RHL

3/25/74

3/25/74

FW

3/26/74

3/26/74

DR

1 to all.
Believe this is OK. Espionage may show we must tighten the definition. RHL

5. C/ISAS DX-2